

1 **Malcolm White School PTO**
2 **PARENT TEACHER ORGANIZATION BYLAWS**

3
4 **ARTICLE I**
5 **Name**

6 The name of this nonprofit association shall be the Malcolm White School Parent Teacher Organization,
7 Woburn, Massachusetts.

8 **ARTICLE II**
9 **Purposes**

10 **Section 1.** The PTO is organized for the purpose of supporting and enhancing the educational experience
11 of the Malcolm White Elementary School’s students by: (1) providing an organization through which the
12 parents, school, and teachers can work cooperatively; and (2) provide financial support for programs
13 funded outside of the annual school budget

14 **Section 2.** The association is organized exclusively for the charitable, scientific, literary, or educational
15 purposes within the meaning of Section 501(c)(3)of the Internal Revenue Code or corresponding section
16 of any future federal tax code (hereinafter referred to as “Internal Revenue Code”).

17 **Article III**
18 **Basic Policies**

19 The following are basic policies of this Local PTO:

- 20 A. The PTO shall operate for charitable, educational, non-commercial, non-sectarian, and
21 nonpartisan purposes and shall not discriminate based on age, race, color, creed, sex or national
22 origin.
- 23 B. The name of the PTO or the names of any members in their official capacities shall not be used
24 in any connection with a commercial concern or with any partisan interest or for any purpose
25 not appropriately related to promotion of the objectives of the PTO.
- 26 C. The PTO shall not – directly or indirectly – participate or intervene (in any way, including the
27 publishing or distributing of statements) in any political campaign on behalf of, or in opposition
28 to, any candidate for public office; or devote more than an insubstantial part of its activities to
29 attempting to influence legislation by propaganda or otherwise.
- 30 D. The association shall work to promote the health and welfare of children and youth, and shall
31 seek to promote collaboration among parents, Malcolm White School, and the community at
32 large.
- 33 E. No part of the net earnings of the association shall inure to the benefit of, or be distributable to,
34 its members, directors, trustees, officers, or other private persons except that the association
35 shall be authorized and empowered to pay reasonable compensation for services rendered, and
36 to make payments and distributions in furtherance of the purposes set forth in Article II hereof.
- 37 F. Notwithstanding any other provision of these articles, the association shall not carry on any
38 other activities not permitted to be carried on (i) by an association exempt from federal income
39 tax under Section 501(c)(3) of the Internal Revenue Code or (ii) by an association, contributions
40 to which are deductible under Section 170(c)(2) of the Internal Revenue Code.

- 41 G. The association or members in their official capacities shall not, directly or indirectly, participate
42 or intervene (in any way, including the publishing or distributing of statements) in any political
43 campaign on behalf of, or in opposition to, any candidate for public office, or devote more than
44 an insubstantial part of its activities to attempting to influence legislation by propaganda or
45 otherwise.
- 46 H. All correspondence and notices sent home to parents or posted electronically (ie. Twitter,
47 Facebook, etc.) regarding PTO-related events must be approved by the principal before being
48 distributed.
- 49 I. At minimum, the PTO will consist of a President, Treasurer and the school Principal. In the event
50 of a lack thereof, the PTO will be considered dissolved until such time as said positions can be
51 filled.
- 52 J. Upon the dissolution of this association, after paying or adequately providing for the debts and
53 obligations of the association, the remaining assets shall be distributed to one (1) or more
54 nonprofit funds, foundations or organizations which have established their tax exempt status
55 under Section 501(c)(3) of the Internal Revenue Code by then end of the calendar school year.

56 **ARTICLE IV**
57 **Membership**

- 58 A. The members of this PTO shall be the individual members who have children currently enrolled
59 in the Malcolm White Elementary School.
- 60 B. Only members of the organization shall be eligible to participate in the business meetings, or to
61 serve in any of its elective or appointed positions.
- 62 C. Membership in the PTO shall be made available to any individual without regard to age, race,
63 color, creed, sex or national origin. The membership year shall be July 1 – June 30.
- 64 D. This PTO may admit individuals to membership at any time.

65 **ARTICLE V**
66 **Executive Board**

67 **Section 1. Composition.** The members of the executive board shall be:

- 68 A. the officers of the association;
- 69 B. the principal of the school or the principal's representative appointed by the principal; and
- 70 C. Teacher representative(s)

71 **Section 2. Eligibility.** Executive board members shall:

- 72 A. receive no compensation from the association except reimbursement for reasonable expenses
73 as set forth in PTO policies and procedures; and
- 74 B. have served no more than two (2) consecutive terms in the same position.

75 **Section 3.** Executive board members shall serve in only one (1) capacity on the board at any time.

76 **Section 4. Board Duties.** The duties of the executive board shall be to:

- 77 A. transact necessary business in the intervals between association meetings and such other
78 business as may be referred to it by the association;
- 79 B. present a report at the regular association meetings;

- 80 C. approve the Plans of Work of all officers and committee chairs;
- 81 D. create standing and special committees;
- 82 E. prepare an annual budget for the upcoming fiscal year and submit to the association for
- 83 adoption at the June meeting;
- 84 F. approve routine bills within the limits of the budget; and
- 85 G. fill vacancies on the board.

86 **Section 5. Meetings.**

- 87 A. **Regular Meetings.** Regular meetings of the executive board shall be held as necessary.
- 88 B. **Special Meetings.** Special meetings of the executive board may be called by the president or by
- 89 a majority of the members of the executive board with notice given in writing, including
- 90 electronic mail, to each executive board member at least three (3) days before the meeting.
- 91 C. **Proxy Voting.** There shall be no proxy voting.
- 92 D. **Quorum.** A majority of the members of the executive board shall constitute a quorum.
- 93 E. **Emergency Voting.** In an emergency situation, the executive board may vote by phone, email,
- 94 or other electronic means if authorized by the president. Members shall have at least twenty-
- 95 four (24) hours to cast their votes. A three-fifths (3/5) vote of the entire executive board is
- 96 required for adoption, and the vote shall be recorded in the minutes of the next regular meeting
- 97 of the executive board.

98 **Section 6. Removal and Resignation.** Any executive board member may be removed from office with
 99 cause by the affirmative vote of three-fifths (3/5) of the members of the executive board then in office,
 100 quorum having been established. Any executive board member may resign at any time by delivering a
 101 written resignation to the Malcolm White School PTO president or secretary.

102 **ARTICLE VI**
 103 **Officers**

104 **Section 1. Officers.** The officers of this Malcolm White School PTO shall be a president, vice
 105 president/fundraising, a secretary, a treasurer and an enrichment officer.

106 **Section 2. Term of Office.** Officers shall assume their official duties following the close of the school
 107 year and shall serve a term of one (1) year. The term renews annually and the elected officers shall not
 108 serve more than two (2) consecutive terms in the same office. Exceptions to the two (2) consecutive
 109 terms can be made if there is a nomination after the first year or if no one has been nominated after the
 110 second year. One who has served more than one-half (1/2) of a term shall be credited with having
 111 served that term.

112 **Section 3. Vacancy in Office.** All officer positions not filled by election become vacant. In the case of a
 113 vacancy in the office of president, the vice president shall serve notice to the executive board of the
 114 election to fill the vacancy of the president and shall conduct the election. A vacancy in any office other
 115 than president shall be filled by an affirmative vote of a majority of the remaining members of the
 116 executive board. In the interim, duties of any vacancy shall be assumed by the executive board.

117 **Section 4. Duties of Officers.** The officers shall perform the duties as prescribed for the office in these
 118 bylaws.

- 119 A. **President.** The president shall:
- 120 1. coordinate the work of the officers and committees of the association in order that the
- 121 Purposes may be promoted;
- 122 2. confirm that a quorum is present at all meetings of the organization before conducting
- 123 business;
- 124 3. preside at all meetings of the organization;
- 125 4. appoint the chair of each standing committee and special committee, subject to the
- 126 approval of the executive board, unless otherwise provided in these bylaws;
- 127 5. be authorized to sign on bank accounts;
- 128 6. be authorized to sign contracts approved by the executive board;
- 129 7. be listed as the principal officer and be authorized to sign tax documents, unless prohibited
- 130 by terms of employment;
- 131 8. appoint a member, subject to the approval of the executive board, who is not authorized to
- 132 sign on the bank account to open, review, initial and date each bank statement;
- 133 9. serve as an ex-officio member of all committees; and
- 134 10. deliver to his/her successor, no later than fifteen (15) days after the end of his/her term, all
- 135 pertinent material, official or otherwise, regarding the activities of the PTO;

- 136 B. **Vice President/Fundraising.** The vice president shall:
- 137 1. Act as aide to the President and shall perform the duties of the President, in the absence or
- 138 inability of that officer to serve;
- 139 2. Research options, plans, and anticipated profits and expenses for any fundraising projects and
- 140 present suggestions to the Executive Board;
- 141 3. not be authorized to sign on bank accounts;
- 142 4. prepare and execute fundraising projects as approved by the Executive Board;
- 143 5. solicit volunteers to assist with and chair each Fundraiser;
- 144 6. report all Fundraising activities, expenses, and profits at each monthly member meeting;
- 145 7. maintain confidential records of all contributions;
- 146 8. maintain planning records of each fundraiser and pass these along to the Secretary for
- 147 permanent record keeping; and
- 148 9. oversee the Savings Programs (i.e. Box Tops).

- 149 C. **Secretary.** The secretary shall:
- 150 1. prepare each meeting's agenda;
- 151 2. record and maintain the minutes of all meetings of the members and the executive board;
- 152 3. keep the meeting minutes of the proceedings of the monthly meetings make available for
- 153 distribution within seven (7) days after the meeting referenced;
- 154 4. be responsible for correspondence and post to the Malcolm White School PTO website,
- 155 Twitter account and the Facebook group;
- 156 5. collect and preserve documents relating to the history of the association;
- 157 6. have a current copy of the bylaws;

- 158 7. be authorized to sign on bank accounts;
159 8. not be a member of the financial reconciliation committee;
160 9. not appointed to be a reviewer of the bank account; and
161 10. maintain organized records from the planning of any event hosted by the PTO. These
162 records should be made available, upon request, to any Committee Chair planning a similar
163 event, and turned over to the next Secretary to hold this position.
- 164 D. **Treasurer.** The treasurer shall:
- 165 1. have custody of all the funds of the association;
166 2. present a written and verbal financial report at executive board and monthly;
167 3. maintain books of account and records including bank statements, receipts, budgets, invoices,
168 paid receipts and canceled checks in accordance with the records retention policy;
169 4. make disbursements in accordance with the budget adopted by the association;
170 5. be authorized to sign on bank accounts;
171 6. be authorized to sign tax documents, if the president is prohibited by terms of employment;
172 7. present a preliminary annual report, i.e. budget to actual, at the last membership meeting;
173 8. audit all invoices and receipts submitted for payment or reimbursement to ensure each
174 request is in compliance with PTO policies; and
175 9. perform the complete and timely filing of all federal and state tax returns as well as other
176 financial reports, pertaining to the PTO's 501(c)3 status, as applicable, and maintain accurate
177 records of such.
- 178 E. **Enrichment Officer.** The enrichment officer shall:
- 179 1. coordinate educational enrichment programs for students in all grades;
180 2. coordinate with the Principal and teachers to coordinate events that enhance current
181 curriculum;
182 3. write a summary of each event for archiving and future use;
183 4. assist with researching, writing and soliciting all educational grants. All grant applications
184 must be approved by the principal; and
185 5. recruit and oversee grade level enrichment coordinators to work with teachers for
186 enhancing curriculum.

187 **ARTICLE VII**
188 **Nominations and Elections**

189 **Section 1. Nominations.** Nominations for the next the next school year will take place at the April
190 meeting

191 **Section 2. Nominations from the Floor.** Nominees from the floor shall be accepted at the election
192 meeting.

193 **Section 3. Elections.** Officers shall be elected by ballot in the month of May. However, if there is but
194 one (1) nominee for an office, election for that office may be by voice vote.

195 **Section 4. Resignation.** In the event of resignation, it may be necessary to elect more than one board
196 member in one year. Upon resignation of an officer, a replacement shall be elected by the majority of
197 the PTO Board members present at a meeting called for that purpose.

198
199

ARTICLE VIII
Meetings

200 **Section 1. Regular Meetings.**

201 A. Meetings shall be held in the months of September, October, November, January, February,
202 March, April, May and June with the time and date to be established by executive board. Five
203 (5) days' notice shall be given if change of date is needed. The membership shall be notified
204 through notices sent home with students and internet platforms for the Malcolm White PTO
205 (Twitter, Facebook and website) of the date and time of all association meetings following the
206 first meeting of the executive board at which time this schedule is determined.

207 B. The association meeting held in May shall be the election meeting.

208 C. The association meeting in June shall be for the purpose of receiving reports of officers and
209 chairs and for any other necessary business.

210 **Section 2. Quorum.** The quorum for the transaction of business in any association meeting shall be 7
211 members.

212 **Section 3. Proxy Voting.** There shall be no proxy voting.

213 **Section 4. Special Meetings.** A special meeting shall be called by the president or by a majority of the
214 executive board, with at least three (3) days' notice giving the place, date, time and purpose of the
215 special meeting. No other business may be conducted.

216
217

ARTICLE IX
Committees

218 **Section 1. Committees.** The executive board may create such standing and special committees as it may
219 deem necessary to promote the Purposes.

220 The president shall be an ex-officio member of all committees except the financial reconciliation
221 committee and nominating committee.

222 **Section 2. Term.** Chairs shall assume their official duties following the close of the school year and shall
223 serve a term of one (1) year.

224 **Section 3.** No chair shall serve in the same office for more than two (2) consecutive terms unless there
225 is no other interested party. One who has served more than one-half (1/2) of a term shall be credited
226 with having served that term.

227 **Section 4. Standing Committee Chairs.** All standing committee chairs shall:

228 A. deliver to their successors or the secretary all official materials;

229 B. present a written plan to the executive board for approval;

230 C. have a current copy of the PTO bylaws; and

231 D. perform other duties as assigned by the president.

232 **Section 5. Proxy Voting.** There shall be no proxy voting.

233
234

ARTICLE X
Enrichment Coordinators

- 235 Grade level enrichment coordinators are recruited and appointed by the Enrichment Officer. The role of
236 the grade level enrichment coordinator is to plan (with the teachers) and book all of the enrichment
237 programming/field trips for your assigned grade. All coordinators shall:
- 238 A. serve a term of one (1) year and can reapply for any subsequent years;
 - 239 B. complete and pass a CORI background check;
 - 240 C. once programming/trips have been selected, book them and prepare necessary paperwork (i.e.
241 Bus, Site, Draft Permission Slip for teacher/principal approval, etc.;
 - 242 D. communicate with the Enrichment Officer and school secretary regarding space in the school for
243 on-site events and dates for any off-site trip;
 - 244 E. if possible, be available for any programming/field trip scheduled to represent the PTO and just to
245 be on site to troubleshoot and take pictures; and
 - 246 F. attend the monthly membership meetings if possible to provide updates on grade level activities
247 or provide those updates in advance to the Enrichment Officer.

248 **ARTICLE XI**
249 **Fiscal Accountability**

250 **Section 1. Fiscal Year.** The fiscal year of this association shall begin September 1 and end on the
251 following August 31.

252 **Section 2. Signers.** Signers on the bank account shall not be related by blood or marriage and shall not
253 reside in the same household.

254 **Section 3. Financial Reconciliation.**

- 255 A. A financial reconciliation shall be performed:
 - 256 1. at the end of the fiscal year;
 - 257 2. when any authorized check signer is added or deleted on any bank account; and
 - 258 3. at any time deemed necessary by the president or three (3) or more members.
- 259 B. The president shall appoint, subject to the approval of the executive board, a financial
260 reconciliation committee consisting of not less than three (3) members, who are not authorized
261 signers. Members of the financial reconciliation committee shall not be the incoming treasurer
262 or be related by blood or marriage and shall not reside in the same household as the authorized
263 signers.
- 264 C. For the financial reconciliation required at the end of the fiscal year, the president shall appoint
265 the financial reconciliation committee at least thirty (30) days before the last meeting of the
266 year.
- 267 D. The financial reconciliation committee report shall be adopted by a majority vote of the
268 association at the first regular meeting following the financial reconciliation.

269 **ARTICLE XII**
270 **Funds/Donations/Expenses**

- 271 A. PTO funds shall be used for programs, events, and items that directly benefit the Malcolm White
272 Elementary School community.
273

- 274 B. All funds raised for the PTO must be documented and submitted to the PTO Treasurer within
275 ten (10) days of receipt. All funds received by the Treasurer must be deposited into the PTO
276 bank account within four (4) days of receipt by the Treasurer.
- 277 C. Reimbursements for all expenses shall be made only after receipts for the expenditures have
278 been audited, documented, and approved by the PTO Treasurer. Reimbursement requests
279 should be submitted to the PTO Treasurer within thirty (30) days of the incurred expense or by
280 three weeks prior to the end of the fiscal year, whichever comes first, and must be accompanied
281 by a receipt.
- 282 D. Any cash advance to cover expenses prior to a purchase must be documented in detail,
283 including a receipt, once spent. All unused funds must be returned to the PTO Treasurer
284 immediately following the purchase.
- 285 E. No expenses will be paid over the budgeted amount without a vote by the general membership.
- 286 F. Monetary requests for non-budgeted items may be submitted to the PTO at a monthly
287 membership meeting by any PTO member. A vote for approval of the monetary disbursement
288 shall be taken at the next scheduled meeting of the PTO.
- 289 G. The PTO can carry over funds for the following fiscal year as recommended by the Executive
290 Board. The annual carry-over amount shall not exceed \$10,000.00.

291
292

ARTICLE XIII
Amendment of Bylaws

293 **Section 1. Submission.** These bylaws may be amended at any meeting of the association, provided a
294 quorum is present, by three-fifths (3/5) vote of the members present and voting. Notice of each
295 proposed amendment shall be provided to the membership through regular publicity channels thirty
296 (30) days prior to the meeting at which the amendment is voted upon or at the previous regular
297 meeting. The amendment shall be subject to approval of the Malcolm White School PTO.

298 **Section 2. Adoption.** The adoption of an amendment to any provision of the bylaws by Malcolm White
299 School PTO shall serve automatically and without the requirement of further action by the Malcolm
300 White School PTO to amend its corresponding bylaws.

301

302 As adopted by the Malcolm White School PTO Board of Directors February, 2017 to take effect March,
303 2017